

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of
itself and all other similarly situated entities,

V.

WACHOVIA BANK, N.A., et al.

SUMMONS IN A CIVIL ACTION

Judge Berman

CASE NUMBER:

08 CV 2516

TO: (Name and address of Defendant)

WACHOVIA BANK, N.A.
301 S. College Street, Suite 4000
One Wachovia Center
Charlotte, NC 28288-0013

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP
152 W. 57TH STREET
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

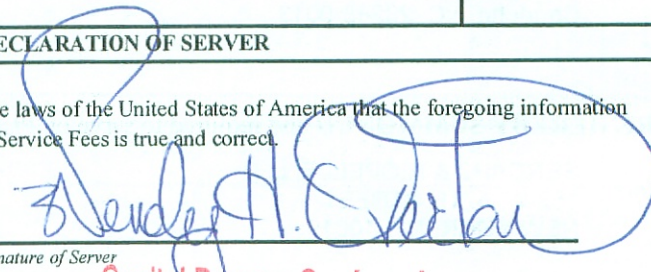
CLERK

DATE

MAR 13 2008

(By) DEPUTY CLERK

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

| RETURN OF SERVICE | | |
|--|----------|------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE | March 20, 2008 2:15pm |
| NAME OF SERVER (PRINT) Wendy H. Overton | TITLE | Private process Server |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ | | |
| <input type="checkbox"/> Returned unexecuted: _____ _____ | | |
| <input checked="" type="checkbox"/> Other (specify): _____ by serving Pamela McCuller, Paralegal, authorized to accept. Service was completed at 301 S. College Street, Charlotte, NC 28288 _____ | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>March 24, 08</u></p> <p style="text-align: center; margin-top: 10px;">Date</p> </div> <div style="width: 60%;"> <p style="text-align: center;">  Signature of Server </p> <p style="text-align: center; color: red; margin-top: 10px;"> Capitol Process Services, Inc. 1827 18th Street, NW Washington, DC 20009 </p> <p style="text-align: center; margin-top: 10px;">_____ Address of Server</p> </div> </div> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.